

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CIVIL NO. 3:98CV220**

**VONNIE K. AGNER, and wife,  
AGNER, *et al.*,**

**This document relates to:**

**LEONARD T. HOLT and wife,  
SHIRLEY L. HOLT; ERNST  
SHEPHERD and wife, PATSY E.  
SHEPHERD; and BOBBY E.  
STARNES and wife, MYRNA J.  
STARNES,**

**Plaintiffs,**

**Vs.**

**DANIEL INTERNATIONAL  
CORPORATION, f/k/a Daniel  
Construction Company, *et al.*,**

**Defendants.**

**ORDER**

**THIS MATTER** is before the Court on receipt of a letter from Plaintiffs' counsel dated January 16, 2007, which is construed as a motion to reconsider the Court's Order filed January 16, 2007, scheduling a group of eight Plaintiffs for trial beginning April 16, 2007. The motion is denied.

It is apparent to the Court that Plaintiffs' counsel has misconstrued a letter e-mailed to counsel on January 10, 2007, requesting the parties "submit proposed groupings of all remaining plaintiffs for trial along with proposed dates" no later than January 26, 2007. It was the Court's intention for the parties to submit proposed groupings of Plaintiffs for trial after the April 2007 term along with proposed dates for trial no later than January 26, 2007. The list of Plaintiffs scheduled for trial April 16, 2007, as shown in the Court's January 16, 2007, Order remains unchanged.

**IT IS, THEREFORE, ORDERED** that the Plaintiffs' motion to reconsider is hereby **DENIED**.

Signed: January 19, 2007



Lacy H. Thornburg  
United States District Judge

